

U.S. DISTRICT COURT  
Northern District of Texas  
FILED  
APR 19 2018  
CLERK, U.S. DISTRICT COURT  
By Deputy

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

UNITED STATES OF AMERICA

v.

EDGAR RODRIGUEZ (01)

No. 4:18-MJ- 239

**CRIMINAL COMPLAINT**

I, Special Agent J. Radd, being duly sworn, state the following is true and correct to the best of my knowledge and belief:

On or about April 3, 2018, in the Fort Worth Division of the Northern District of Texas, defendant **Edgar Rodriguez**, having been convicted of a crime punishable by imprisonment for a term in excess of one year, did knowingly possess in and affecting interstate and foreign commerce the following firearm: a Taurus, model 85, .38 special caliber revolver, bearing serial number PD58514. In violation of 18 U.S.C. § 922(g)(1).

I, Special Agent J. Radd, Affiant, under oath, duly state that I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms, and Explosives, assigned to the Fort Worth Field Office in the Dallas Field Division. The statements set forth in this affidavit are true and correct to the best of my knowledge and belief, but are not inclusive of all the evidence or information in the case.

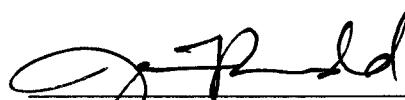
1. On April 3, 2018, an Arlington Police Department (APD) Officer conducted a traffic stop of a black, 2004 Chevrolet Tahoe for a traffic violation. As the APD Officer approached the vehicle, the Officer detected a slight odor of marijuana and observed the driver, later identified as defendant **Edgar Rodriguez**, make furtive movements toward the center console using his right hand and right arm. Defendant **Rodriguez** was the sole occupant of the vehicle.
2. Upon reaching the driver's door, the smell of marijuana increased and was determined by the APD Officer to be coming from inside the vehicle. Defendant **Rodriguez** advised the APD Officer he did not have

any identification, no driver's license and no proof of insurance. Defendant **Rodriguez** verbally provided the APD Officer with his name and date of birth. The APD Officer returned to his vehicle, requested back-up and queried defendant **Rodriguez**' identifiers, learning that **Rodriguez** had fourteen (14) class C warrants outstanding issued by the APD.

3. When back-up arrived and the APD Officers returned to the vehicle, the Officers observed defendant **Rodriguez** continue to make furtive movements around the center console of the vehicle.
4. APD Officers then arrested defendant **Rodriguez** on the aforementioned warrants. Based upon the defendant being the sole occupant of the vehicle and his arrest on outstanding warrants; his lack of a driver's license and lack of proof of insurance; the odor of marijuana emanating from the vehicle's interior; and his continued furtive movements; APD Officers decided to have the vehicle towed and conducted a preliminary inventory search prior to the removal of the vehicle. During the inventory a Taurus, model 85, .38 special caliber revolver, bearing serial number PD58514, loaded with five (5) rounds of ammunition, was located under a loose cup holder in the center console of the vehicle.
5. A review of defendant **Rodriguez**'s criminal history revealed that prior to April 3, 2018, he had three (3) felony convictions, the most recent of which was a conviction for Aggravated Assault with a Deadly Weapon. Defendant Rodriguez was also identified as a member of the "South Side Crips" criminal gang.
6. An ATF Interstate Nexus Expert determined that the Taurus, model 85, .38 special caliber revolver, bearing serial number PD58514, was manufactured outside the State of Texas and therefore, would have had to have moved in and affected interstate commerce or foreign commerce to reach the State of Texas.

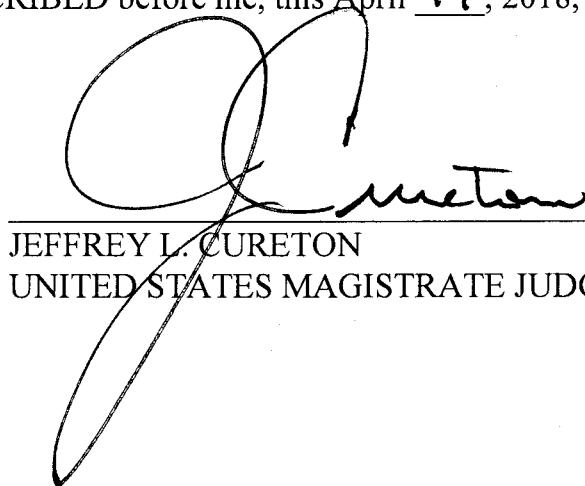
Based upon the foregoing, it is Affiant's belief that there is probable cause to believe that **Rodriguez**, a convicted felon, did knowingly and unlawfully possess, in and affecting interstate or foreign commerce, a Taurus,

model 85, .38 special caliber revolver, bearing serial number PD58514, in violation of 18 U.S.C. § 922(g)(1).



J. Raed, Special Agent  
Bureau of Alcohol, Tobacco, Firearms, and Explosives

SWORN TO AND SUBSCRIBED before me, this April 19, 2018, at 2:46 am/pm  
in Fort Worth, Texas.



Jeffrey L. Cureton  
UNITED STATES MAGISTRATE JUDGE